IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.494 OF 2005

Mr.Shankar K.Shettigar ...Applicant

Versus

Mrs.Pushpa S.Shettigar & Anr. ...Respondents

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None for Applicant.

Ms.G.P.Mulekar, A.P.P. for Respondent No.2.

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CORAM: A.M.KHANWILKAR, J.

DECEMBER 23, 2005.

P.C.

1. None present for the Applicant when the matter is called out.

2. Applicant ought to have resorted to remedy of revision in terms of the decisions of this Court in the cases of **V.K.Jain & Ors. vs. Pratap V.Padode reported in 2005(3) Mh.L.J. 778**, and in the unreported decision **in the case of Chetan R.Nagda & Ors. vs. N.D.Pawar & Anr. in Criminal Writ Petition No.1023 of 2005 dated 8th December**

2005.

3. The Applicant, if so desires, may take recourse to that remedy within four weeks from today, failing which, it will be open to the Trial Court to proceed against the Applicant in accordance with law. In the Revision Application to be filed, the Revisional Court may excuse the period spent by the Applicant in pursuing the remedy before this Court, while considering the prayer for condonation of delay.

4. Application dismissed with the above observations.

A.M.KHANWILKAR, J.